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**AKIMA-DTSV**  
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1 SEP 2005

1 SEP 2005

**FACSIMILE COVER SHEET**

August 9, 2005

TO: Mail Stop Missing Requirements  
Serial No.: ~~14/134,974~~ 10/524,351  
TELEFAX: Fax # (703) 305-3230  
COMPANY/FIRM: United States Patent and Trademark Office  
FROM: Tina Manor for Bruce S. Londa  
ATTORNEY DOCKET NO.: 101215-178

**MESSAGE:**

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Response to Notice to File Missing Parts (3 pages)  
Copy of Notice to File Missing Requirements (2 pages)  
Combined Declaration and Power of Attorney (2 pages)

By

  
Tina Manor

Date August 9, 2005

We are transmitting 8 pages, including cover page. If the transmission is not complete, please call (212) 808-0700 and ask for Tina Manor at Ext. 687.

This is the only form of delivery for this document:

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

New Jersey Office: 721 Route 202-208  
P.O. Box 1018  
Somerville, NJ 08878-1018  
Telephone: (908) 722-0700 Facsimile: (908) 722-0755

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**Docket No.  
101215-178

In Re Application Of: Stefan Brosig

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/524,351	February 11, 2005	TBA	27387	TBA	6319

Invention: Method and Device for Recognizing the Level of Awareness of a Vehicle Driver

Mail Stop Missing PartsCOMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
July 27, 2005  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)****Docket No.  
101215-178**

In Re Application Of:

**Stefan Brosig**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/524,351	February 11, 2005	TBA	27387	TBA	6319

Invention: **Method and Device for Recognizing the Level of Awareness of a Vehicle Driver****TO THE COMMISSIONER FOR PATENTS:****Mail Stop Missing Parts**☒ Completion of application fees as calculated below.

<input type="checkbox"/> Utility application basic fee	_____
<input type="checkbox"/> Design application basic fee	_____
<input type="checkbox"/> Search Fee	<u>\$0.00</u>
<input type="checkbox"/> Examination Fee	<u>\$0.00</u>
<input type="checkbox"/> Total number of independent claims = _____	_____
<input type="checkbox"/> Total number of claims = _____	_____
<input type="checkbox"/> Multiple dependent claims	_____
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	<u>\$130.00</u>
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	_____
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	_____
<input type="checkbox"/> Fee for processing and retention of application	_____

**Total completion of application fees \$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five monthsfrom: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date**Total time extension fees \_\_\_\_\_****Total fees due \$130.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**Docket No.  
101215-178

In Re Application Of:

Stefan Brosig

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/524,351	February 11, 2005	TBA	27387	TBA	6319

Invention: Method and Device for Recognizing the Level of Awareness of a Vehicle Driver

**TO THE COMMISSIONER FOR PATENTS:****Mail Stop Missing Parts**

The fee of \$130.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 14-1263
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 14-1263
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

  
Signature

Bruce S. Londa  
Reg. No. 33,531  
Norris McLaughlin & Marcus, P.A.  
875 Third Avenue, 18th Floor  
New York, NY 10022

Dated: August 9, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

August 9, 2005 (via fax)

(Date)



Signature of Person Mailing Correspondence

Tina Manor

Typed or Printed Name of Person Mailing Correspondence

cc:



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,351	Stefan Brosig	101215-178 <i>BSL</i>

INTERNATIONAL APPLICATION NO.
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PCT/EP03/09357

IA FILING DATE	PRIORITY DATE
08/22/2003	09/04/2002

27387  
 NORRIS, MCLAUGHLIN & MARCUS, P.A.  
 875 THIRD AVE  
 18TH FLOOR  
 NEW YORK, NY 10022

CONFIRMATION NO. 6319

371 FORMALITIES LETTER



\*0C000000016618628\*

Date Mailed: 07/27/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/11/2005
- English Translation of the IA filed on 02/11/2005
- Copy of the International Search Report filed on 02/11/2005
- Preliminary Amendments filed on 02/11/2005
- Information Disclosure Statements filed on 02/11/2005
- Oath or Declaration filed on 02/11/2005
- Request for Immediate Examination filed on 02/11/2005
- U.S. Basic National Fees filed on 02/11/2005
- Priority Documents filed on 02/11/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the application to which it is directed.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,351	PCT/EP03/09357	101215-178

FORM PCT/DO/EO/905 (371 Formalities Notice)